IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELALTE JURISDICTION

FIRST APPEAL NO.1389 OF 2003

Budhiya Vesta Patel .. Appellant

V/s

Mrs.Leenan Anant Tambe & Ors. .. Respondents

Mr.Aditya Khandeparkar for Appellant Nos.1A,1B,1C & 1D.
Mr.Godbole for the Respondent Nos.1 and 2.
Ms.Leena Sawant for Respondent Nos.3 to 8.
Mr.Mohan Jaykar i/b. M/s.Khaitan & Jaykar for Respondent No.9.
Mr.Hassan Shaikh S.O. of Court Receiver.

CORAM : DR.S.RADHAKRISHNAN,J.
DATE : 13TH JUNE, 2006.

P.C.:

1. The parties have amicably settled the matter in terms of consent terms arrived at between the Appellants and Respondent Nos.1,2 and 9. The same has been duly signed by the paties and their respective Counsel. The learned Counsel appearing on behalf of the Appellants seeks leave to delete Respondent Nos.3 to 8 and 10 to 45 as they are all only occupants of the various structures. However, all the learned Counsel for the parties have categorically stated that by deleting the names of Respondent Nos.3 to 8 and 10 to 45, those persons will not be prejudiced in any manner with regard to their rights and contentions, as these consent terms have been filed only with regard to the present Appellants and the Respondent Nos.1,2 and 9. Accordingly, Respondent Nos. 3 to 8 and 10 to 45 stand deleted. It is made clear that the rights

and contentions of the Respondents who have been deleted are kept expressly open and these consent terms will not prejudice them in any manner whatsoever.

2. The said consent terms are taken on record and marked as ‘X’ for identification. The Appeal stands disposed of in terms of consent terms. The undertakings given therein are also accepted.

3. The Court Receiver’s representative is present in the Court. The Court Receiver stands discharged without passing accounts. The Court Receiver shall immediately handover the possession of the premises to Respondent Nos.1 and 2.

(DR.S.RADHAKRISHNAN,J.)